

Notice of Allowability

Application No.

10/644,602

Examiner

LAM T. MAI

Applicant(s)

LAI ET AL

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 2/2/07.
2. ☒ The allowed claim(s) is/are 1-24, 29-51 and 66-69.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 12/4/06
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

Response to Amendments

Applicant's amendments/arguments filed on 2/2/07 have been carefully considered. all rejections made in the previous office have been overcome.

Terminal Disclaimer

The terminal disclaimer filed on 2/2/07 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of Pat. No. 6,407,680 and 6,593,860 and 6,888,47, has been reviewed and is accepted. The terminal disclaimer has been recorded.

Specification

The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Allowable Subject Matter

Claims 1-24, 29-51, and 66-69 are allowable.

The following is an examiner's statement of reasons for allowance: Claim 1 is allowed over the prior art of record. The prior art of record, considered individually or in combination, fails to fairly teach or suggest claimed method comprising, among other limitations, a novel and unobvious limitation of "transcoding the media content to the destination type, thereby generating transcoded media content" structurally and

functionally interconnected with other limitation as cited in the claim and dependent claims 2-11.

Claim 12 is allowed over the prior art of record. The prior art of record, considered individually or in combination, fails to fairly teach or suggest claimed method comprising, among other limitations, a novel and unobvious limitation of "inserting a clip or trailer or both into transcoded media content" structurally and functionally interconnected with other limitation as cited in the claim and dependent claims 13-24.

Claim 29 is allowed over the prior art of record. The prior art of record, considered individually or in combination, fails to fairly teach or suggest claimed method comprising, among other limitations, a novel and unobvious limitation of "automatic detecting one or more destination format criteria without end-user input" structurally and functionally interconnected with other limitation as cited in the claim and dependent claims 30-43.

Claim 44 is allowed over the prior art of record. The prior art of record, considered individually or in combination, fails to fairly teach or suggest claimed method comprising, among other limitations, a novel and unobvious limitation of "automatic detecting one or more destination format criteria without end-user input" structurally and functionally interconnected with other limitation as cited in the claim and dependent claims 45-51.

Claim 66 is allowed over the prior art of record. The prior art of record, considered individually or in combination, fails to fairly teach or suggest claimed method comprising, among other limitations, a novel and unobvious limitation of "transcoding

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the media content to the destination type, thereby generating transcoded media content" structurally and functionally interconnected with other limitation as cited in the claim.

Claim 67 is allowed over the prior art of record. The prior art of record, considered individually or in combination, fails to fairly teach or suggest claimed method comprising, among other limitations, a novel and unobvious limitation of "transcoding the media content to the destination type, thereby generating transcoded media content" structurally and functionally interconnected with other limitation as cited in the claim.

Claim 68 is allowed over the prior art of record. The prior art of record, considered individually or in combination, fails to fairly teach or suggest claimed method comprising, among other limitations, a novel and unobvious limitation of "selecting and delivering a copy of one of said plurality of copies in response to each of said request according to bandwidth criteria selected by a transcoding service provider that also perform the media content transcoding operation" structurally and functionally interconnected with other limitation as cited in the claim.

Claim 69 is allowed over the prior art of record. The prior art of record, considered individually or in combination, fails to fairly teach or suggest claimed method comprising, among other limitations, a novel and unobvious limitation of "selecting and delivering a copy of one of said plurality of copies in response to each of said request according to bandwidth criteria selected by a transcoding service provider that also

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perform the media content transcoding operation" structurally and functionally interconnected with other limitation as cited in the claim.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Cited References

The prior art made of record and not relied upon is considered pertinent to application's disclosures. The cited references relate to instant application subject matters.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LAM T. MAI whose telephone number is (571)272-1807. The examiner can normally be reached on 5:30 am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Barnie Rexford can be reached on (571) 272-7492. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read 'Lam T. Mai', with a stylized flourish at the end.

Lam T. Mai
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